

OFFICIAL FILE
ILLINOIS COMMERCE COMMISSION

STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION

ORIGINAL

2007 JUN 13 A 10: 51

Docket No. 06-0655

AQUA ILLINOIS, INC.)
)
Petition for Approval of Certificate of Public)
Convenience and Necessity to Operate a Water)
Supply and Distribution System; and for a Variance)
From Main Extension Deposit Rules to Expand)
System Development Charges.

**PETITION OF EMERITUS VENTURES LLC, ET AL TO INTERVENE AS AN
ACTIVE PARTY**

Petitioners, Emeritus Ventures, LLC et al, by and through their attorneys Schain,
Burney Ross & Citron, LTD., pursuant to Section 200.200 of the Rules of Practice of the
Illinois Commerce Commission ("Commission") (83 Ill. Adm. Code 200.200) seek leave
to intervene as an active party in the above captioned proceeding. In support of its
Petition, Emeritus Ventures, LLC et. al states as follows:

1. Petitioners' names, addresses, telephone numbers, facsimile numbers and e-
mail addresses, through its attorneys are:

Emeritus Ventures, LLC
Attention: Rod Yarling
5748 S. Stony Island Avenue
Chicago, Illinois 60610
Telephone: (773) 288-3255
Fax: (773) 288-3260
rodyarling@hotmail.com

Alps Development
Attention: Jim Paul
25634 S. Kensington Lane
Monee, Illinois 60449
Telephone: (708) 534-2734
Fax: (708) 534-1662
alps@alpsdevelopment.com

Centrum Properties
Attention: John Green

225 W. Hubbard, 4th Floor
Chicago, Illinois 60610
Telephone: (312) 832-2500
Fax: (312) 832-2525
jgreen@centrumproperties.com

Mallow Construction
Attention: Mike Murphy
P.O. Box 877
Tinley Park, Illinois 60477
Telephone: (708) 226-0130
Fax: (708) 226-0138
Mary@mallowhomes.com

The Barr Group
Attention: George Barr
2701 Black Road
Joliet, Illinois 60435
Telephone: (815) 744-3306
Fax: (815) 773-2050
George@thebarrgroup.com

Petitioners hereby designate the following person to receive service on its behalf:

Jerome S. Schain (Jschain@schainlaw.com)
222 N. LaSalle Street, Suite 1910
Chicago, Illinois 60601-1102
Telephone: (312) 332-0200
Fax: (312) 332-4514

2. Statement of the Nature of Petitioners' interest:

Petitioners are the owners and developers of thirteen sections of Green Garden Township, Illinois. Aqua Illinois Inc. ("Aqua") presently serves six of these sections with wastewater treatment and in the present action is seeking certification to serve the other seven sections. There is no other wastewater agency or municipality able to supply the Petitioners with wastewater service.

This proceeding may materially affect Petitioners' development and sale of properties to its real estate customers. As real estate developers in the State of Illinois,

Green Garden Township and the area Aqua seeks to certificate for wastewater service, Petitioners have an interest in the provision of wastewater treatment services by Aqua to the applied-for area.

3. Petitioners agree to accept service by electronic means as provided for in Section 200.1050.

4. The granting of this Petition will not impose delay on these proceedings.

WHEREFORE, for the above stated reasons, Emeritus Ventures, et al, hereby respectfully request that:

- i. The Commission grant their Petition to Intervene and make Emeritus Ventures, LLC et al active parties to the above captioned proceeding.
- ii. The Commission grant Aqua Illinois' Petition to expand its service territory.
- iii. For such further and additional relief as is necessary to protect Petitioners' rights and interests.

Dated: June 12, 2007

Respectfully Submitted,

BY: Jerome S. Schain
The Attorney for Emeritus Ventures LLC et al.

Jerome S. Schain
Schain, Burney, Ross & Citron
222 N. LaSalle Street, Suite 1910
Chicago, Illinois 60601-1102
Telephone: (312) 332-0200
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STATE OF ILLINOIS)
) ss.
COUNTY OF COOK)

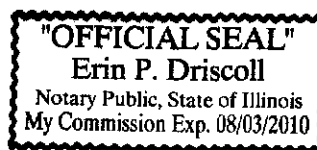
VERIFICATION

I, Jerome S. Schain, being first duly sworn, state that I am an attorney for Emeritus Ventures, LLC et al, that I am authorized to make this Verification on its behalf, that I have read the foregoing Petition to Intervene of Emeritus Ventures, LLC et al, , that I have knowledge of the facts stated therein, and that the same are true and correct to the best of my knowledge, information and belief.

By Jerome S. Schain
Jerome S. Schain
Attorney for Emeritus Ventures,
LLC et al

SUBSCRIBED and SWORN to before
me this 12th day of June, 2007.

Erin P. Driscoll
Notary Public



**STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION**

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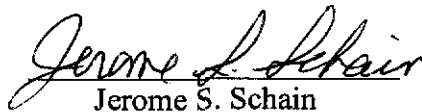
Docket No. 06-0655

NOTICE OF FILING

To: See Attached Service List

Please take notice that, on June 12, 2007, Jerome S. Schain caused to be filed on behalf of Emeritus Ventures, LLC et al, the attached Appearance and Petition to Intervene as an Active Party via the overnight mail to the Chief Clerk of the Illinois Commerce Commission, 527 East Capital Avenue, Springfield, Illinois 62701.

Dated: June 12, 2007

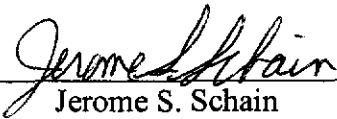

Jerome S. Schain

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Attorney for Emeritus Ventures, LLC et al

CERTIFICATE OF SERVICE

Jerome S. Schain, an attorney, hereby certifies that he served a copy of the attached Notice of Filing, Appearance and Petition to Intervene as an Active Party on the individuals shown on the attached Service List, via Federal Express overnight delivery on June 12, 2007.


Jerome S. Schain

Service List
Docket No. 06-0655

Dan Flanagan
Land Acquisition Manager
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Bill Johnson
Case Manager
Illinois Commerce Commission
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Springfield, IL 62701
bjohnson@icc.illinois.gov

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INT Yes 1/18/2007

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